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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/343,509	06/30/1999	YOSHIAKI TAKABATAKE	0039-7268-2R	8009
22850	7590	07/10/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			FERRIS, DERRICK W	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/343,509

Applicant(s)

TAKABATAKE ET AL.

Examiner

Derrick W. Ferris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-10,13-16 and 19-24 is/are rejected.
- 7) ☒ Claim(s) 3,4,11,12,17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. **Claims 1-24** as amended are still in consideration for this application. Applicant has amended claims **1, 8, 16, 19 and 22**.
2. Examiner **withdraws** the obviousness rejection to ***Chambers*** (formally *Srivastava*) for Office action filed **2/21/2006**. In particular, the rejection(s) are withdrawn based on applicant's amendment to the claims. As such, please find a new rejection below as necessitated by amendment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 2, 5-10, 13-16 and 19-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,443,690 B2 to *Sato et al.* ("*Sato*") in view of IEEE Standard for a High Performance Serial Bus to *IEEE*.

As to **claim 1**, *Sato* discloses a base station as the elements shown in figure 2 (i.e., the wireless station T in combination with full bridge A and B). A first interface is taught as transceiver 12, a second interface is taught as 1394 physical layer 22, and a processing unit is taught as part of controller 32. A radio network is taught as a wireless network or non-standardized network and a non-radio network is taught as a 1394 network or a standardized network. As such, a communication node is taught as one of nodes X, Y, or

Z which exist only on the first or wireless network. As such, the controller 22 is able to represent the detected node by storing in the data memory a description of each real node (i.e., the nodes configuration) and data which is either received from or transmitted to the respective node, see e.g., top of column 4.

Sato may be silent or deficient to the further limitation where the own configuration information is regarding what its constituent elements are to another communication node on the second network.

IEEE teaches the further recited limitation above at e.g., Section 3.7.3.1.3 Self-Identity section.

The proposed modification of the above-applied reference(s) necessary to arrive at the claimed subject matter would be to modify *Sato* by clarifying that the self-identification process for an IEEE 1394 bus is well known in the art where *Sato* teaches an IEEE 1394 bus.

As such, examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the above limitation. In particular, the motivation for modifying the reference or to combine the reference teachings would be for self identification. In particular, *IEEE* cures the above-cited deficiency by providing a motivation found at e.g., bottom of page 35.

As to **claim 2**, see e.g., section 3.1 of the IEEE document with respect to subunits for an IEEE 1394 bus. Examiner notes the same motivation applies for the secondary reference.

As to **claim 5**, when a new node is added information is stored with respect to the description of the new node, see e.g., column 4, lines 12-18 of *Sato*.

As to **claim 6**, the other constituent elements are the other virtual nodes.

As to **claim 7**, at least information is exchanged between the master node and the constituent node.

As to **claim 8**, see similar reasoning for claim 1.

As to **claim 9**, the one type is the IEEE 1394 type.

As to **claim 10**, the information is stored in either program memory 34 or data memory 36. The IDs for the IEEE 1394 are further taught by the 1394 reference as e.g., addresses.

As to **claim 13**, see similar reasoning for claim 5.

As to **claim 14**, the other constituent elements are the other virtual nodes.

As to **claim 15**, at least information is exchanged between the master node and the constituent node.

As to **claim 16**, see similar reasoning for claim 1. The application is the IEEE 1394 protocol.

As to **claim 19**, see similar reasoning for claim 1.

As to **claim 20**, the information is stored in either program memory 34 or data memory 36. The IDs for the IEEE 1394 are further taught by the 1394 reference as e.g., addresses.

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As to **claim 21**, the information is stored in either program memory 34 or data memory 36. Note that data is also sent two and from the node, see e.g., column 4, lines 11-17 of *Sato*.

As to **claim 22**, see similar reasoning for claim 1. The application is the IEEE 1394 protocol.

As to **claim 23**, the information is stored in either program memory 34 or data memory 36. The IDs for the IEEE 1394 are further taught by the 1394 reference as e.g., addresses.

As to **claim 24**, the information is stored in either program memory 34 or data memory 36. Note that data is also sent two and from the node, see e.g., column 4, lines 11-17 of *Sato*.

Allowable Subject Matter

5. **Claims 3, 4, 11, 12, 17, and 18** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (571) 272-3123. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DWF

Derrick W. Ferris
Examiner
Art Unit 2616


DERRICK FERRIS
PATENT EXAMINER 6/28/06